

~~[(i)]~~ ~~(H)~~ 1. With respect to each public institution of postsecondary education, either approve or disapprove the proposal;

~~[(ii)]~~ 2. With respect to each nonpublic institution of higher education, either recommend that the proposal be implemented or that the proposal not be implemented; and

~~[(iii)]~~ 3. With respect to a private career school, either approve or disapprove the proposal.

(3) If the Commission fails to act within 60 days of the date of submission of the completed proposal, the proposal shall be deemed approved.

(4) Except as provided in paragraph (3) of this subsection, a public institution of postsecondary education and private career school may not implement a proposal without the prior approval of the Commission.

(5) Except as provided in paragraph (3) of this subsection, and subject to the provisions of § 17-105 of this article, a nonpublic institution of higher education may implement a proposal that has not received a positive recommendation by the Commission.

(6) (i) If the Commission disapproves a proposal, the Commission shall provide to the governing body that submits the proposal a written explanation of the reasons for the disapproval.

(ii) After revising a proposal to address the Commission's reasons for disapproval, the governing body may submit the revised proposal to the Commission for approval.

(c) (1) Prior to discontinuation, each institution of postsecondary education that proposes to discontinue an existing program shall provide written notification to the Commission specifying:

(i) The name of the program; and

(ii) The expected date of discontinuation.

(2) By rule or regulation, the Commission may require the payment by a private career school of a refund to any student or enrollee who, because of the discontinuation of an ongoing program, is unable to complete such program.

(d) The Commission shall review and make recommendations on programs in nonpublic institutions of higher education that receive State funds.

(e) (1) In this subsection, "governing board" includes the board of trustees of a community college.

(2) The Commission shall adopt regulations establishing standards for determining whether 2 or more programs are unreasonably duplicative.